

IN RE: PETITION FOR SPECIAL HEARING  
NE/Corner 7 Mile Lane and  
Reisterstown Road  
(Rite Aid)  
3rd Election District  
2nd Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-211-SPH

Tently Enterprises, Inc., Ground Sublessee;  
Rite Aid of Maryland, Inc., Contract Lessee - Petitioners

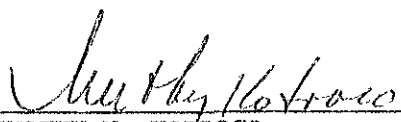
\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owners of the subject property, and the Contract Lessee, Rite Aid of Maryland, Inc., by and through their attorney, Robert A. Hoffman, Esquire. The Petitioners sought approval of a fifth amendment to the Final Development Plan for RAM Motel A Limited Partnership, for a proposed Rite Aid Store in place of an existing vacated Sizzler Restaurant, as more particularly described on the site plan submitted, which was last revised September 6, 1996.

Pursuant to the letter dated December 5, 1996 from Counsel for the Petitioners to Carl Richards, Zoning Supervisor, and the response thereto by Mitchell J. Kellman of the same agency, dated December 9, 1996, it was agreed that the proposed redevelopment of the subject property with a Rite Aid Store requires no amendment to the Final Development Plan and as such, the Petition for Special Hearing should be dismissed as moot.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11<sup>th</sup> day of December, 1996 that the Petition for Special Hearing in the above-captioned matter be and is hereby DISMISSED.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 12/11/96  
By [Signature]

MICROFILMED



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

December 11, 1996

Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
NE/Corner 7 Mile Lane and Reisterstown Road  
(Rite Aid)  
3rd Election District - 2nd Councilmanic District  
Tently Enterprises, Inc., Ground Sublessee; and,  
Rite Aid of Maryland, Inc., Contract Lessee - Petitioners  
Case No. 97-211-SPH

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been dismissed in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Christopher R. Thomas, President, Tently Enterprises, Inc.  
12655 W. Jefferson Boulevard, Los Angeles, Ca. 90066

Mr. Charles E. Brodsky, Representative, Rite Aid of Maryland, Inc.  
P.O. Box 3165, Harrisburg, Pa. 17011

People's Counsel

✓ File

RECEIVED



211

# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at Northeast Corner of 7 Mile Lane & Reisterstown Road

97-211-1174

which is presently zoned BR-CS-1

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

☒ an amendment to the Final Development Plan.

a 5th flr

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

**Contract Lessee:**

Rite Aid of Maryland, Inc.

(Type or Print Name)

By:

Signature Charles E. Brodsky, Authorized Representative

P.O. Box 3165

Address

Harrisburg

PA

17011

State

Zipcode

**Attorney for Petitioner:**

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

MD

21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

~~Legal Owner/Ground Sublessee:~~ Ground Sublessee:

Tenty Enterprises, Inc.

(Type or Print Name)

By:

Signature

Christopher R. Thomas, President

(Type or Print Name)

Signature

12655 W. Jefferson Blvd.

Address

310-827-2300

Phone No

Los Angeles

City

CA

State

90066

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No

**OFFICE USE ONLY**

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

Zoning Administration  
& Development Management

DROP OFF  
NO REVIEW  
11/8/96 WOP

**Signature Page to Accompany Petition for Special Hearing  
(Signatures to be provided at hearing)**

*97-10-11*

**Legal Owners:**

---

**Matthew P. Berger  
P.O. Box 1600  
Rowlett, Texas 75030**

---

**Stephen Frank  
P.O. Box 1600  
Rowlett, Texas 75030**

*Matthew P. Berger*

211

FROM THE OFFICE OF  
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.  
ENGINEERS  
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

97-211-5171

REF: RITE AID  
RAM MOTEL F.D.P.  
LOT #1 AMENDMENT

October 9, 1996

All of that piece of parcel of land, situate, lying and being in the Third Election District of Baltimore County, State of Maryland, and described more particularly as follows, to wit:

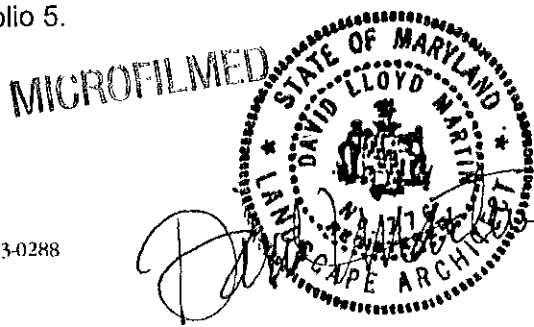
**BEGINNING** for the same at a point on the northeast side of Reisterstown Road at the southwestern end of a fillet curve connecting said northeast side of Reisterstown Road with the northwest side of Seven Mile Lane, and running thence binding on said northeast side of Reisterstown Road the following four (4) courses and distances, viz: (1) North 47 degrees 33 minutes 30 seconds West 98.00 feet, (2) North 80 degrees 34 minutes 56 seconds West 11.93 feet, (3) North 43 degrees 30 minutes 37 seconds West 97.18 feet and (4) North 26 degrees 19 minutes 50 seconds West 3.24 feet; thence leaving Reisterstown Road and running for lines of division now drawn (5) North 45 degrees 20 minutes 00 seconds East 209.00 feet and (6) South 44 degrees 40 minutes 00 seconds East 214.71 feet to the northwest side of Seven Mile Lane; thence binding thereon (7) South 48 degrees 11 minutes 44 seconds West 10.97 feet; and (8) South 45 degrees 20 minutes 00 seconds West 172.39 feet to the northeastern end of the fillet curve connecting said northwest side of Seven Mile Lane with the northeast side of Reisterstown Road; thence binding on said fillet curve (9) 18.28 feet in a southwesterly direction along an arc of a curve to the right having a radius of 25.00 feet, said subtended by a chord bearing South 66 degrees 16 minutes 54 seconds West 17.88 feet to the place of beginning, containing 1.015 acres of land, more or less.

**SUBJECT TO** undefined easements as recorded in the Land Records of Baltimore County in Liber 5415, folio 928 and folio 931, Section 3.

**BEING** all of that parcel of land which by Deed, dated August 23, 1990 and recorded among the Land Records of Baltimore County, Maryland in Liber 8579, folio 13 on August 28, 1990, was granted and conveyed from United Restaurant Acquisition Corp., nominee for United Restaurant Partners, to Matthew P. Berger and Stephen Frank; and all of that leasehold interest, along with all improvements thereon, which by Deed, dated July 26, 1990 and recorded among the aforesaid Land Records in Liber 8579, folio 18 on August 28, 1990, was granted and conveyed by the Board of Trustees of the Endowment Fund of the University of North Carolina at Chapel Hill.

**ALSO BEING** known as Lot No. 1 on a plat entitled "Development of Ram Motels and Company", completed by Daft, McCune, Walker, Inc. on August 6, 1973 and recorded among the aforesaid Land Records in Plat Book E.H.K, Jr. 37, folio 5.

**Note:** This description is for **ZONING** purpose only and not to be used in conveyances or agreements.



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

NO.

DATE

11-3-93

ACCOUNT

11-1150

RECEIVED  
FROM

Terrence, Deacon & Son, Inc.

AMOUNT \$ 250.00 (250)

FOR

4340 - SPECIAL PRINTING  
DEC 7 1993 Date & Telephone No.

DISTRIBUTION  
WHITE - CASHIER  
PINK - AGENCY  
YELLOW - CUSTOMER  
VALIDATION OR SIGNATURE OF CASHIER

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Offices Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #97-211-SPH  
(Item 211)

corner NES Pelestown Road NWS 7 Mile Lane and City Line

3rd Election District

3rd Councilmanic

Legal Owner(s):

Matthew P. Berger and Stephen Frank

Contract Lessee:

Rite Aid of Maryland, Inc.

Ground Sublessee:

Tandy Enterprises, Inc.

**Special Hearing:** to approve a 5th amendment to the Final Development Plan.

Hearing: Tuesday, December 10, 1996 at 9:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3353.

(2) For information concerning the file and/or hearing, Please Call 887-3391

11/208 Nov. 21

C101094

**CERTIFICATE OF PUBLICATION**

TOWSON, MD.,

11/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/21, 1996.

**THE JEFFERSONIAN,**

*A. H. Anderson*

LEGAL AD. - TOWSON



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 232

Petitioner: St. Paul's United Brethren Church

Location: 5010 St. Paul Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael K. Kramer

ADDRESS: P.O. Box 271 Monkton MD

PHONE NUMBER: 329-6051

AJ:ggs

MICROFILMED (Revised 09/24/96)



Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than \_\_\_\_\_.

Format for Sign Printing, Black Letters on White Background:

ITEM 211

## ZONING NOTICE

Case No.: \_\_\_\_\_

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: SPECIAL HEARING TO APPROVE AN  
AMENDMENT TO THE FINAL DEVELOPMENT  
PLAN.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

**DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW**

**HANDICAPPED ACCESSIBLE**

TO: PUTUXENT PUBLISHING COMPANY

November 21, 1996 Issue - Jeffersonian

Please forward billing to:

Robert A. Hoffman, Esq.  
Venable, Baetjer and Howard, LLP  
210 Allegheny Avenue  
Towson, MD 21204  
494-6200

---

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-211-SPH (Item 211)  
corner NE/S Reisterstown Road, NW/S 7-Mile Lane and City Line  
3rd Election District - 3rd Councilmanic  
Legal Owner(s): Matthew P. Berger and Stephen Frank  
Contract Lessee: Rite Aid of Maryland, Inc.  
Ground Sublessee: Tently Enterprises, Inc.

Special Hearing to approve a 5th amendment to the Final Development Plan.

HEARING: TUESDAY, DECEMBER 10, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

November 15, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-211-SPH (Item 211)  
corner NE/S Reisterstown Road, NW/S 7-Mile Lane and City Line  
3rd Election District - 3rd Councilmanic  
Legal Owner(s): Matthew P. Berger and Stephen Frank  
Contract Lessee: Rite Aid of Maryland, Inc.  
Ground Sublessee: Tently Enterprises, Inc.

Special Hearing to approve a 5th amendment to the Final Development Plan.

HEARING: TUESDAY, DECEMBER 10, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Tently Enterprises, Inc.  
Rite Aid of Maryland, Inc.  
Robert A. Hoffman, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 25, 1996.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



NOV 21 1996



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

December 6, 1996

Robert A. Hoffman, Esquire  
Venable, Baetjer and Howard, LLP  
210 Allegheny Avenue  
Towson, MD 21204

RE: Item No.: 211  
Case No.: 97-211-SPH  
Petitioner: Tently Enterprises, Inc

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 8, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development Management

DATE: November 20, 1996

FROM: Arnold F. 'Pat' Keller, III, Director  
Office of Planning

SUBJECT: Northeast Corner of 7 Mile Lane & Reisterstown Road

INFORMATION:

Item Number: 211

Petitioner: Rite Aid of Maryland, Inc.

Property Size:

Zoning: BR - CS1

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant has filed a Special Hearing to approve the 5th amendment to the Final Development Plan.

The subject property is located within the area of the Pikesville, Maryland Revitalization Plan, which was adopted by the County Council on October 7, 1991.

Redevelopment of the pad site with a new retail use is consistent with the Pikesville, Maryland Revitalization Plan's primary objective of business recruitment in Pikesville which should serve to counteract net business loss trends. Further, diversification and upgrading the existing store mix increases the district's overall market draw.

Based upon the analysis conducted and information provided, staff recommends the Petitioner's request be granted.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kerns

AFK/JL:vjc

ITEM211/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

97-211-SPH  
12/10 Jim

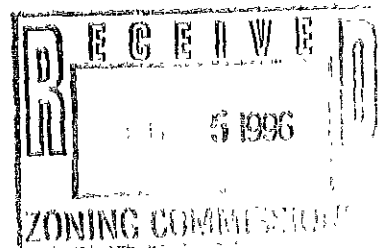
TO: Arnold Jablon, Director  
Permits and Development Management

DATE: December 4, 1996

FROM: Arnold F. 'Pat' Keller, III, Director  
Office of Planning

SUBJECT: Northeast Corner of 7 Mile Lane & Reisterstown Road

Amended Comment



INFORMATION:

Item Number: 211  
Petitioner: Rite Aid of Maryland, Inc.  
Property Size: \_\_\_\_\_  
Zoning: BR - CS1  
Requested Action: \_\_\_\_\_  
Hearing Date:     /    /    

SUMMARY OF RECOMMENDATIONS:

The applicant has filed a Special Hearing to approve the 5th amendment to the Final Development Plan.

Pursuant to Section 1B01.3A.7.b(1) of the BCZR, the Director of the Office of Planning finds the proposed amendment is in accordance with the specific standards and requirement of BCZR Article (1B) and other provisions of the CMDP.

The subject property is located within the area of the Pikesville, Maryland Revitalization Plan, which was adopted by the County Council on October 7, 1991.

Redevelopment of the pad site with a new retail use is consistent with the Pikesville, Maryland Revitalization Plan's primary objective of business recruitment in Pikesville which should serve to counteract net business loss trends. Further, diversification and upgrading the existing store mix increases the district's overall market draw.

Based upon the analysis conducted and information provided, staff recommends the Petitioner's request be granted.

Prepared by: Jeffrey W. Long  
Division Chief: Gary L. Kerns

AFK/JL:vjc

ITEM211/PZONE/ZAC1

NOT RECORDED

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: November 25, 1996

FROM: Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for November 25, 1996  
Item No. 211

The Development Plans Review Division has reviewed the subject zoning item. A Schematic Landscape Plan should be submitted for review and approval as a condition of amendment. A Final Landscape Plan must be approved as a condition of Building Permits.

RWB:HJO:jrb

cc: File

ZONE38E

NOV 29 1996

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 11/19/96

FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee  
Meeting Date: Nov 18, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

204

208

209

210

(211)

RBS:sp

BRUCE2/DEPRM/TXTSBP



Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 11/19/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP--1105

RE: Property Owner: MATTHEW P. BERGER & STEPHEN FRANK

Location: CORNER NE/S REISTERSTOWN RD. NW/S 7 MILE LA. AND CITY LINE.

Item No.: 211

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

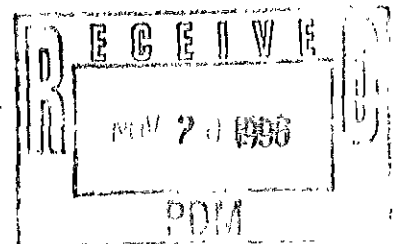
1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary

Parker F. Williams  
Administrator

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County 11-26-96  
Item No. 211 (WCR)

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.  
Thank you for the opportunity to review this item.

Very truly yours,

*R. J. Swell*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

LG

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

**MICROFILMED**

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
Corner NE/S Reisterstown Road, NW/S Seven		
Mile Lane and City Line, 3rd Election	*	ZONING COMMISSIONER
District, 3rd Councilmanic		
	*	OF BALTIMORE COUNTY
Legal Owner(s): M. Berger and S. Frank		
Contract Lessee: Rite Aid of MD, Inc.	*	CASE NO. 97-211-SPH
Ground Sublessee: Tently Enterprises, Inc.		
Petitioners	*	

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10<sup>th</sup> day of December, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

MICROFILMED



Baltimore County  
Department of Permits and  
Development Management

97-311-SPH

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

November 29, 1996

Robert A. Hoffman, Esquire  
Venable, Baetjer, and Howard  
210 Allegheny Avenue  
Towson, MD 21204

RE: Drop-Off Petition Review (Item #211)  
NEC 7-Mile Lane & Reisterstown Road  
3rd Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

The councilmanic district needs to be on the plat.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John R. Alexander  
Planner II  
Zoning Review

JRA:scj

Enclosure (receipt)

c: Zoning Commissioner





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

November 8, 1996

Robert A. Hoffman, Esquire  
210 Allegheny Avenue  
Towson, MD 21204

RE: Drop-Off Petition (Item #211)  
NEC 7 Mile Lane & Reisterstown Rd.  
3rd Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper forms pertaining to this. There is a form indicating the posting standards required by Baltimore County, as well as a list of vendors serving the Baltimore County area. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to Gwendolyn Stephens.

If you have any questions regarding the sign posting, please do not hesitate to contact Gwendolyn Stephens at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.".

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:scj

Enclosures



GG5

Rob will be  
submitting revised  
plats to correct the  
zoning per WCP's  
request.

Sophia

MICROFILMED

210 Allegheny Avenue  
Post Office Box 5517  
Towson, Maryland 21285-5517  
(410) 494-6200, Fax (410) 821-0147

OFFICES IN

MARYLAND  
WASHINGTON, D.C.  
VIRGINIA

**VENABLE**  
ATTORNEYS AT LAW

Robert A. Hoffman  
(410) 494-6262

December 5, 1996

**VIA HAND DELIVERY**

Mr. Carl Richards  
Zoning Supervisor  
Dept. of Permits and Development Management  
1st Floor, County Office Building  
Towson, Maryland 21204

Re: Final Development Plan for Ram Motel A Limited Partnership

Dear Carl:

As we discussed by phone, I am representing Rite-Aid of Maryland, Inc. on a sub-lease of Lot No. 1 shown on the Final Development Plan for Ram Motel A Limited Partnership. As originally proposed the Final Development Plan included a motel and lodge within the residentially zoned portion of the property. I have enclosed copies of each of the Amended Final Development Plans, including the proposed Fifth Amendment to accommodate the Rite-Aid store on Lot No. 1.

I can find no basis under the Baltimore County Zoning Regulations for the original or any of the four amended final development plans for this subdivision. Section 1B01.3A3 adopted in Bill No. 100 in 1970 required the following:

No interest in any lot which is in a DR zone and is hereafter created by subdivision of a record lot existing on the effective date of this article or created by consolidation of such lots may be sold unless a final or partial development plan applicable to the lot has been approved as required under subparagraph 5 below.

Clearly, only the residentially zoned portion of the property should have ever been subject to a final development plan. In this case, there is not now nor has there ever been construction of residences or the originally proposed motel and lodge on the then DR16 zoned Lot No. 4.

MICROFILM

Mr. Carl Richards  
December 5, 1996  
Page 2

Moreover, the 1996 Comprehensive Zoning Map took effect on December 2 of this year which, pursuant to Issue 2-011, rezoned the 1.447 Lot No. 4 on the Final Development Plan from DR-16 to BR. I have enclosed for your review a copy of the 1996 Comprehensive Zoning Map Log of Issues, showing Issue 2-011 and the Baltimore County Council documentation indicating that the Planning Board recommendation for BR was accepted on October 8, 1996. Now there is no residentially zoned property within the borders of this subdivision.

In order for Rite-Aid to move quickly to comply with its contractual obligations to sublease this parcel and to avoid an unnecessary special hearing, I would ask that you promptly provide me with confirmation that a redevelopment of Lot No. No. 1 with the Rite-Aid store requires no amendment to the Final Development Plan and that the petition for special hearing to amend the final development plan in Case No. 97-211-SPA may be withdrawn as moot.

Thank you for your immediate attention to this issue.

Very truly yours,



Robert A. Hoffman

RAH/ema  
Enclosure

TO1DOCS1/RAH01/0035051.01



Mr. Carl Richards  
December 5, 1996  
Page 2

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Thank you for your immediate attention to this issue.

Very truly yours,

  
Robert A. Hoffman

Speed  
Letter

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



December 9, 1996

3rd Election District

Dear Mr. Hoffman:

Please be advised that an amendment to the final development plan would not be required as there is no residential development existing or proposed for the subject property. The purpose of the final development plan is to provide for the disclosure of plans to prospective residents within the property on how that land is to be developed. There are no existing or proposed residents within this land area as the property is zoned and developed for commercial use. To avoid any confusion regarding this property, a copy of this letter must be placed in our final development file with a copy of an as-built survey of the future Rite-Aid store.

Very truly yours,



Mitchell J. Kellman  
Planner II  
Zoning Review

MJK:rye

VENABLE, BAETJER AND HOWARD, LLP  
Including professional corporations

210 Allegheny Avenue  
Post Office Box 5517  
Towson, Maryland 21285-5517  
(410) 494-6200, Fax (410) 821-0147

VENABLE  
ATTORNEYS AT LAW

211  
OFFICES IN

MARYLAND  
WASHINGTON, D.C.  
VIRGINIA

Writer's Direct Number:  
(410) 494-6201

November 6, 1996

Via Hand Delivery

Mr. Carl Richards  
Department of Permits & Development Management  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: Legal Owner: Tently Enterprises, Inc.  
Contract Lessee: Rite Aid of Maryland, Inc.  
Property Location: Northeast corner of 7 Mile Lane  
and Reisterstown Road (101 Reisterstown Road)  
Petition for Special Hearing

Dear Carl:

I am hereby drop filing the enclosed Petition for Special Hearing with regard to the above captioned property. This request has not been previously reviewed by your office. The Petitioner proposes to amend the final development plan to reflect a change in restaurant area to retail sales area and to adjust parking. Per Jim Thompson of Zoning Enforcement, there are currently no outstanding zoning violations on site. Enclosed are the following documents:

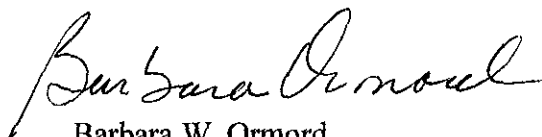
1. Petition for Special Hearing (3);
2. Zoning description (3);
3. 200' scale zoning map (1);
4. Site plans (12); and
5. Check in the amount of \$250.00.

OK  
11/8/96  
WCR  
MICROFILMED

Mr. Carl Richards  
November 6, 1996  
Page 2

If you have any questions, please give me a call.

Sincerely,



Barbara W. Ormord  
Legal Assistant

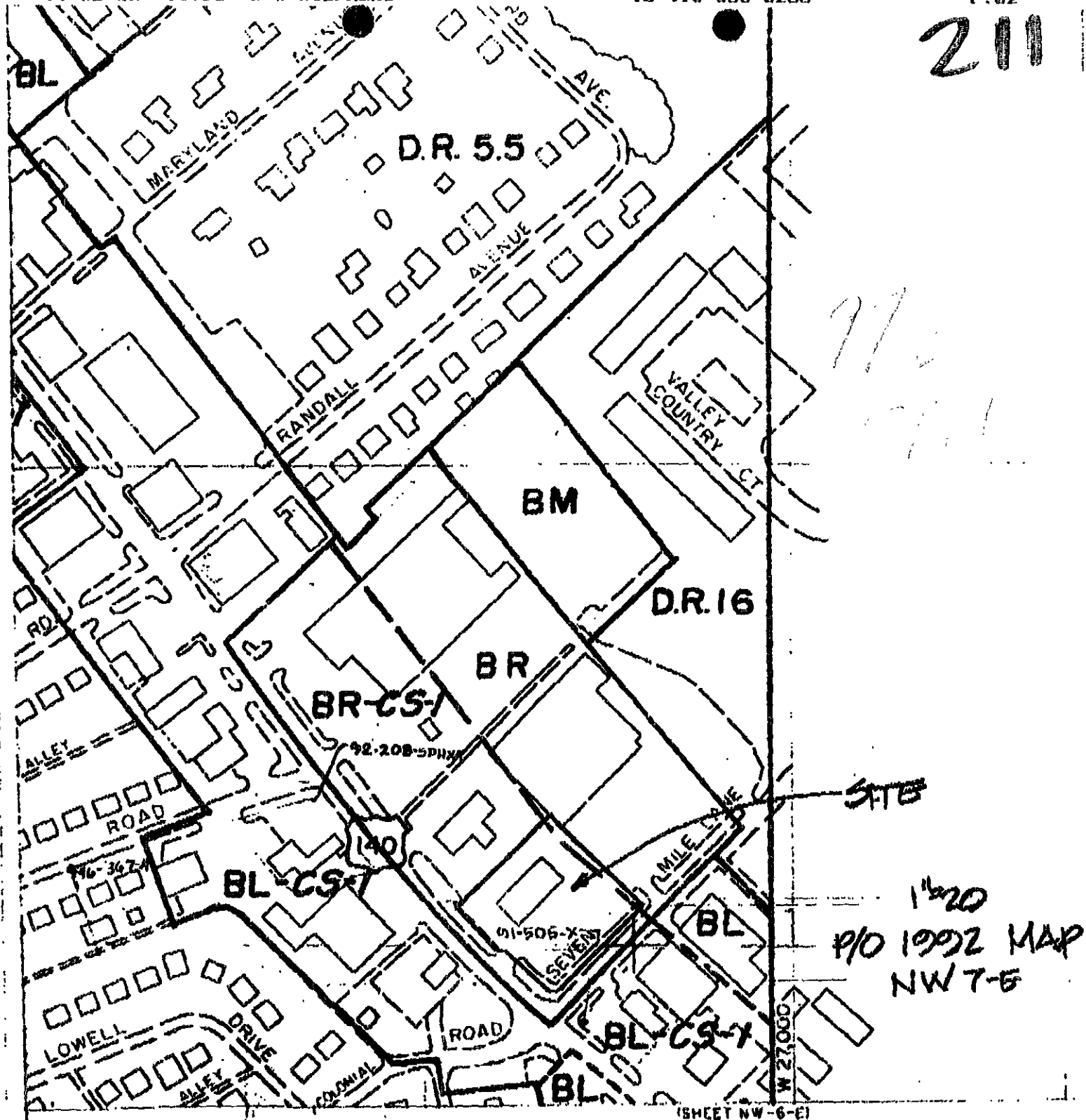
BWO:pmp  
Enclosure

cc: Robert A. Hoffman, Esquire  
James Kline, G.W. Stephens

TO1DOCS1/BAW01/0032799.01

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211



BALTIMORE COUNTY  
OFFICE OF PLANNING AND  
OFFICIAL ZONING



